

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

AUTOMATED LASER WORKSTATION FOR HIGH PRECISION SURGICAL AND INDUSTRIAL INTERVENTIONS,

the specification of which is attached hereto.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. § 1.56(a).

CONTINUATION-IN-PART

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial No. 307,315 Filed February 6, 1989 Pending
Serial No. 475,657 Filed February 6, 1990 Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false

statements and the like so made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Carl F. Knopp

Inventor's Signature *Carl F. Knopp*

Date: Mar 12, 1992 Country of Citizenship: USA

Residence: San Mateo, California

Post Office Address: 1301 W. Hillsdale Boulevard, No. 205

San Mateo, California 94443

Full name of second inventor: William D. Fountain

Inventor's Signature *William D. Fountain*

Date: 13 Mar. 1992 Country of Citizenship: USA

Residence: Fremont, California

Post Office Address: 2012 Mento Drive

Fremont, California 94539-4625

Full name of third inventor: Jerzy Orkiszewski

Inventor's Signature *Jerzy Orkiszewski*

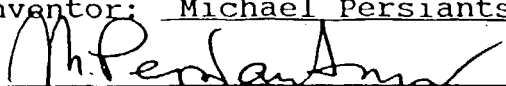
Date: 13 Mar 1992 Country of Citizenship: Poland

Residence: Livermore, California

Post Office Address: 5653 Jacqueline Way #43

Livermore, California 94550

Full name of fourth inventor: Michael Persiantsev

Inventor's Signature 

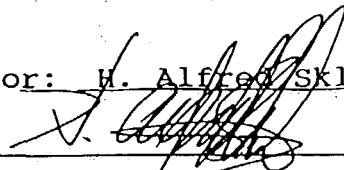
Date: _____ Country of Citizenship: Russia

Residence: Hayward, California

Post Office Address: 861 Hancock Street, #805

Hayward, California 94544

Full name of fifth inventor: H. Alfred Sklar

Inventor's Signature 

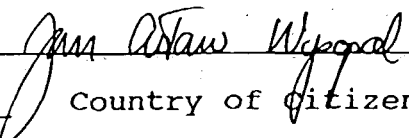
Date: 4/9/92 Country of Citizenship: USA

Residence: San Francisco, California

Post Office Address: 1744 Bay Street

San Francisco, California 94123

Full name of sixth inventor: Jan Wysopal

Inventor's Signature 

Date: 3-13-92 Country of Citizenship: Poland

Residence: Livermore, California

Post Office Address: 56443 Charlotte Way, #53

Livermore, California 94550

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231,

PATENT

on

November 20, 1997

Attorney Docket No. 18158-004930

TOWNSEND and TOWNSEND and CREW LLP

By

Rhonda J. Stine
Rhonda J. Stine

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

CARL F. KNOPP et al.

Application No.: 08/523,738

Filed: September 5, 1995

For: AUTOMATED LASER WORKSTATION)
FOR HIGH PRECISION SURGICAL)
AND INDUSTRIAL)
INTERVENTIONS)

) Examiner: SHAY, D.

) Art Unit: 3311

) REVOCATION AND SUBSTITUTION
OF POWER OF ATTORNEY
UNDER 37 CFR § 1.36

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to 37 CFR § 1.36, VISX, INCORPORATED, revokes all previous powers of attorney and hereby appoints the following to prosecute this patent application and transact all business in the Patent and Trademark Office connected therewith:

Mark D. Barrish, Reg No. 36,443
James M. Heslin, Reg. No. 29,541
Robert C. Colwell, Reg. No. 27,431
James F. Hann, Reg. No. 29,719

CARL F. KNOPP et al.
Application No.: 08/523,738
Page 2

PATENT

Please direct all future correspondence regarding the
subject patent application to:

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Voice (650) 326-2400
Fax (650) 326-2422

VISX, INCORPORATED

Date: October 16, 1997

By: 

Katrina J. Church

Title: Vice President
General Counsel

Attorney Docket No.: 018158-004990
VX-1012-C3

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: KNOPP, CARL K. ET AL.

Application No./Patent No.: _____ Filed/Issue Date: 01 AUGUST 2003

Entitled: Automated Laser Workstation for High Precision Surgical and Industrial Interventions

VISX, Incorporated, a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Sklar et al. To: Phoenix Laser Systems, Inc.
The document was recorded in the United States Patent and Trademark Office at
Reel 6128, Frame 0146-151, or for which a copy thereof is attached.

2. From: Phoenix Laser Systems, Inc. To: VISX, Incorporated
The document was recorded in the United States Patent and Trademark Office at
Reel 8401, Frame 0544-549, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

1 AUGUST 2003

Date

John K. Shimmick
Signature

JOHN K. SHIMMICK
Typed or printed name

PATENT AGENT

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

23215785 v3



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: 06/23/92

TO:

THOMAS M. FREIBURGER
650 CALIFORNIA ST., 29TH FL.
SAN FRANCISCO, CA 94108

RECEIVED
JUL 1 1992
THOMAS M. FREIBURGER

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS, ON THIS NOTICE, PLEASE SEND A REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:
KNOPP, CARL F.

DOC DATE: 03/12/92

ASSIGNOR:
FOUNTAIN, WILLIAM D.

DOC DATE: 03/12/92

ASSIGNOR:
ORKISZEWSKI, JERZY

DOC DATE: 03/12/92

ASSIGNOR:
PERSIANTSEV, MICHAEL

DOC DATE: 03/12/92

ASSIGNOR:
SKLAR, H. ALFRED

DOC DATE: 04/09/92

ASSIGNOR:
WYSOPAL, JAN

DOC DATE: 03/13/92

RECORDATION DATE: 05/01/92 NUMBER OF PAGES 006 REEL/FRAME 6128/0146

DIGEST :ASSIGNMENT OF ASSIGNORS INTEREST

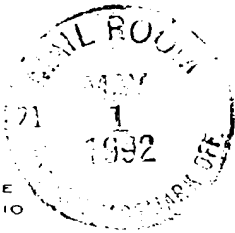
ASSIGNEE:
PHOENIX LASER SYSTEMS, INC.
A CORPORATION OF DELAWARE
1592 UNION STREET, STE. 377, SAN FRANCISCO, CA 94123

4

5128/0146 PAGE 0002

SERIAL NUMBER 7-843374
PATENT NUMBER

FILING DATE 02/27/92
ISSUE DATE 00/00/00



TELEPHONE
(415) 781-0310

LAW OFFICES OF
THOMAS M. FREIBURGER
PATENT, TRADEMARK & COPYRIGHT LAW
650 CALIFORNIA STREET, 29TH FLOOR
SAN FRANCISCO, CALIFORNIA 94108

FACSIMILE
(415) 981-5027

April 27, 1992

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED

MAY 06 1992

SECTION DIVISION

Re: Serial No. 815,317
Recordation of Patent Assignment

Dear Sir:

Enclosed is the assignment by Carl F. Knopp, William D. Fountain, Jerzy Orkiszewski, Michael Persiantsev, H. Alfred Sklar and Jan Wysopal to Phoenix Laser Systems, Inc. for the invention of Automated Laser Workstation for High Precision Surgical and Industrial Interventions and U.S. application Serial No. 07/843,374. Please record this assignment document. A check in the amount of \$40 for the recording fee is enclosed.

Sincerely,

Thomas M. Freiburger

TMF/sea
Encl:

RECEIVED
92 MAY 21 AM 8:39
ASSIGNMENT BRANCH

REEL 6128 FRAME 146

93277228

25

ASSIGNMENT

WHEREAS We, Carl F. Knopp, residing at 1301 W. Hillsdale Blvd. #305, San Mateo, California 94403, citizen of the United States of America, William D. Fountain, residing at 2012 Mento Drive, Fremont, California 94539, citizen of the United States of America, Jerzy Orkiszewski, residing at 5653 Jacqueline Way #43, Livermore, California 94550, citizen of Poland, Michael Persiantsev, residing at 861 Hancock St. #805, Hayward, California 94544, citizen of Russia, H. Alfred Sklar, residing at 1744 Bay St., San Francisco, California 94123, citizen of the United States of America, and Jan Wysopal, residing at 56443 Charlotte Way #53, Livermore, California 94550, citizen of Poland, have invented certain new and useful improvements for AUTOMATED LASER WORKSTATION FOR HIGH PRECISION SURGICAL AND INDUSTRIAL INTERVENTIONS, for which U. S. Patent Application Serial No. 07/843,374 has been filed February 27, 1992; and

WHEREAS, Phoenix Laser Systems, Inc., a corporation existing under the laws of Delaware and doing business at 1592 Union Street, Suite 377, San Francisco, California 94123, is desirous of obtaining the entire right, title and interest in, to and under the said improvements and the said application.

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we,

REL 6128 FRAM 147

Carl F. Knopp, William D. Fountain, Jerzy Orkiszewski, Michael Persiantsev, H. Alfred Sklar and Jan Wysopal, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said Phoenix Laser Systems, Inc., its successors, legal representatives and assigns our entire right, title and interest in, to and under the said improvements, and the said U. S. Patent Application, and all divisions, continuations and continuations-in-part thereof, and all Letters Patent of the United States which may be granted thereon and all applications for Letters Patent which may be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States, and to all extensions, renewals, and reissues thereof, and the right to claim priority under the International Convention for the Protection of Industrial Property; and we hereby authorize and request the Commissioner of Patents of the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Phoenix Laser Systems, Inc., its successors, legal representatives and assigns, in accordance with this instrument.

AND we hereby further covenant and agree that we will communicate to the said Phoenix Laser Systems, Inc., its successors, legal representatives and assigns, any facts known to us, respecting said improvements, and testify in any legal

proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Phoenix Laser Systems, Inc., its successors, legal representatives and assigns to obtain and enforce proper patent protection for said improvements in all countries.

IN WITNESS WHEREOF, we have executed and delivered this assignment on the respective dates set forth below.

Date: Mar 12, 1992

Carl F. Knopp
Carl F. Knopp

On this _____ day of _____, 1992, before me, the undersigned Notary Public, personally appeared Carl F. Knopp, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name he subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

Date: _____

William D. Fountain
William D. Fountain

On this _____ day of _____, 1992, before me, the undersigned Notary Public, personally appeared William D. Fountain, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name he subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

REC-6128 FRAM 149

Date: _____


Jerzy Orkiszewski

On this _____ day of _____, 1992, before me, the undersigned Notary Public, personally appeared Jerzy Orkiszewski, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name he subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

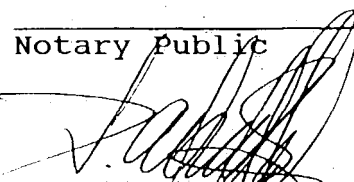
Date: _____


Michael Persiantsev

On this _____ day of _____, 1992, before me, the undersigned Notary Public, personally appeared Michael Persiantsev, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name he subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

Date: 4/9/92


H. Alfred Sklar

On this _____ day of _____, 1992, before me, the undersigned Notary Public, personally appeared H. Alfred Sklar, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name he subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

REEL 6128 FRAME 150

Date: 3-13-92

Jan Wysopal
Jan Wysopal

On this _____ day of _____, 1992, before me, the undersigned Notary Public, personally appeared Jan Wysopal, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name he subscribed to the within instrument, and acknowledged that he executed it.

Notary Public

RECORDED
PATENT & TRADEMARK OFFICE

MAY -1 92

REEL 6 | 28 FRAME | 5 |



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

MAY 12, 1997

PTAS

THOMAS M, FREIBURGER
PATENT & TRADEMARK & COPYRIGHT LAW
650 CALIFORNIA STREET, 29TH FLOOR
SAN FRANCISCO, CA 94108



100381998A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/18/1997

REEL/FRAME: 8401/0544
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
PHOENIC LASER SYSTEMS, INC.

DOC DATE: 02/07/1997

ASSIGNEE:
VISX INCORPORATED
3400 CENTRAL EXPRESSWAY
SANTA CLARA, CALIFORNIA 95051

SERIAL NUMBER: 08523738
PATENT NUMBER:

FILING DATE: 09/05/1995
ISSUE DATE:

SERIAL NUMBER: 08515152
PATENT NUMBER:

FILING DATE: 08/15/1995
ISSUE DATE:

SERIAL NUMBER: 08091570
PATENT NUMBER: 5474548

FILING DATE: 07/14/1993
ISSUE DATE: 12/12/1995

SERIAL NUMBER: 07833604
PATENT NUMBER: 5391165

FILING DATE: 02/11/1992
ISSUE DATE: 02/21/1995

8401/0544 PAGE 2

SERIAL NUMBER: 07945207
PATENT NUMBER: 5286964

FILING DATE: 09/15/1992
ISSUE DATE: 02/15/1994

SERIAL NUMBER: 07842879
PATENT NUMBER: 5283598

FILING DATE: 02/27/1992
ISSUE DATE: 02/01/1994

SERIAL NUMBER: 07656722
PATENT NUMBER: 5170193

FILING DATE: 02/19/1991
ISSUE DATE: 12/08/1992

SERIAL NUMBER: 07655919
PATENT NUMBER: 5162641

FILING DATE: 02/19/1991
ISSUE DATE: 11/10/1992

SERIAL NUMBER: 07719924
PATENT NUMBER: 5157428

FILING DATE: 06/24/1991
ISSUE DATE: 10/20/1992

SERIAL NUMBER: 07307315
PATENT NUMBER: 5098426

FILING DATE: 02/06/1989
ISSUE DATE: 03/24/1992

SERIAL NUMBER: 07456109
PATENT NUMBER: 5054907

FILING DATE: 12/22/1989
ISSUE DATE: 10/08/1991

SERIAL NUMBER: 06046630
PATENT NUMBER: 4309998

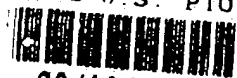
FILING DATE: 06/08/1979
ISSUE DATE: 01/12/1982

SERIAL NUMBER: 07523799
PATENT NUMBER: 5048946

FILING DATE: 05/15/1990
ISSUE DATE: 09/17/1991

DOROTHY RILEY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

71090 U.S. PTO



02/18/97

TELEPHONE
(415) 781-0310

LAW OFFICES OF

THOMAS M. FREIBURGER

PATENT, TRADEMARK & COPYRIGHT LAW

650 CALIFORNIA STREET, 29TH FLOOR

SAN FRANCISCO, CALIFORNIA 94108

February 10, 1997

04-02-1997



100381998

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Re: Recordation of Assignment Of Patent Application From
Phoenix Laser Systems, Inc. to VISX, Incorporated

Dear Sir:

Please record the enclosed copy of an Assignment. Relevant assignment data is as follows:

Assignor: Phoenix Laser Systems, Inc.
c/o Chapter 7 Panel Trustee
Jeoffrey L. Burtch
824 Market Street Mall, Suite 1000
Wilmington, Delaware 19899

Assignee: VISX, Incorporated
3400 Central Expressway
Santa Clara, California 95051


This is an assignment of the entire interest of the attached list of patent applications and patents, the assignment document having been executed February 7, 1997.

Please send all correspondence to Thomas M. Freiburger, at the address on this letter.

This is a request for recordation of an assignment of 11 patents and 2 patent applications, and the required fee of \$520 (\$40 x 13) is enclosed.

To the best of my knowledge and belief, the information contained herein is true and correct, and any copy submitted is a true copy of the original document.

Yours very truly,


Thomas M. Freiburger
Reg. 480 VM 03/28/83 5474548
Attorney for 520.00 CK
VISX, Incorporated

ASSIGNMENT

WHEREAS Phoenix Laser Systems, Inc., a Delaware corporation which has filed Chapter 7 bankruptcy, and for which Jeoffrey L. Burtch, 824 Market Street Mall, Suite 1000, Wilmington, Delaware 19899, has been duly appointed Chapter 7 panel trustee, is the owner of the following U.S. patents and patent applications:

<u>Patent Title</u>	<u>Patent No.</u>	<u>Issue Date</u>
Method of Establishing a Unique Machine Independent Reference Frame for the Eye	5,474,548	12/12/95
System for Scanning a Surgical Laser Beam	5,391,165	2/21/95
System for Detecting, Correcting and Measuring Depth Movement of a Target	5,286,964	2/15/94
Illumination of the Cornea for Profilometry	5,283,598	2/1/94
Apparatus and Method of Identifying Signals in Biological Tissues	5,170,193	12/8/92
System and Method for Detecting, Correcting and Measuring Depth Movement of Target Tissue in a Laser Surgical System	5,162,641	11/10/92
Spectral Division of Reflected Light in Complex Optical Diagnostic and Therapeutic Systems	5,157,428	10/20/92
Method and Apparatus for Precision Laser Surgery	5,098,426	3/24/92
Ophthalmic Diagnostic Apparatus and Method	5,054,907	10/8/91

<u>Patent Title</u>	<u>Patent No.</u>	<u>Issue Date</u>
Spectral Division of Reflected Light in Complex Optical Diagnostic and Therapeutic Systems	5,048,946	9/17/91
Process and Apparatus for Ophthalmic Surgery	4,309,998	1/12/82

<u>Application Title</u>	<u>Ser. No.</u>	<u>Filing Date</u>	<u>File No.</u>
Automated Laser Workstation For High Precision Surgical And Industrial Interventions	523,738	9/5/95	279P
System For Detecting, Measuring And Compensating For Lateral Movements of a Target	515,152	8/15/95	302P

WHEREAS, VISX, Incorporated, a Delaware corporation, doing business at 3400 Central Expressway, Santa Clara, California 95051, is desirous of obtaining the entire right, title and interest in, to and under the said U.S. Patents and Patent Applications.

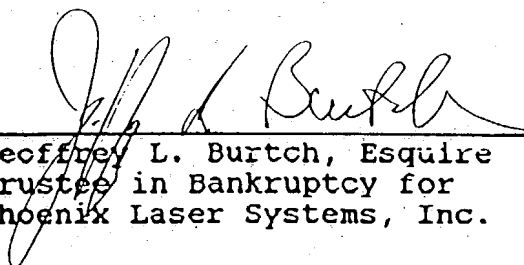
NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, Jeoffrey Burtch, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over unto the said VISX, Incorporated, its successors, legal representatives and assigns the entire right, title and interest in, to and under the U.S. Patents and Patent Applications, and all divisions, continuations and continuations-in-part thereof, and all Letters Patent of the United States which may be granted thereon and all applications for patent or patents which have been or may be filed or granted for said improvements in any country or countries foreign to the United States, and to all extensions, renewals, and reissues thereof; and I hereby

authorize and request the Commissioner of Patents of the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said applications to the said VISX, Incorporated, its successors, legal representatives and assigns, in accordance with this instrument.

IN WITNESS WHEREOF, I have executed and delivered this assignment on the date set forth below.

Date:

2/7/97



Jeffrey L. Burtch, Esquire
Trustee in Bankruptcy for
Phoenix Laser Systems, Inc.